

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X
YURMAN STUDIO, INC. and YURMAN
DESIGN, INC.,

Plaintiffs/Counter-Defendants,

- against -

ELENA CASTANEDA and EJEWELER LLC
d/b/a OVERSTOCKJEWELER.COM,

Defendants/Counter-Plaintiffs.
----- X

Civil Action No. 07-1241 (SAS)(HP)
(Action No. 1)

----- X
----- X
CARTIER, a division of RICHEMONT NORTH
AMERICA, INC., CARTIER INTERNATIONAL,
N.V., CARTIER CREATION STUDIO, S.A., VAN
CLEEF & ARPELS S.A., VAN CLEEF &
ARPELS, INC., VAN CLEEF & ARPELS
DISTRIBUTION, INC., GUCCI AMERICA, INC.,
and BULGARI S.p.A.,

Plaintiffs,

- against -

ELENA CASTANEDA and EJEWELER LLC
d/b/a OVERSTOCKJEWELER.COM,

Defendants.
----- X

Civil Action No. 07-7862 (SAS)(HP)
(Action No. 2)

**DECLARATION OF DAVID YURMAN IN SUPPORT OF
YURMAN STUDIO, INC.'S AND YURMAN DESIGN, INC.'S
MOTION FOR PARTIAL SUMMARY JUDGMENT**

EXHIBIT K



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

Form VA
For a Work of the Visual Arts
UNITED STATES COPYRIGHT OFFICE

VA 1-384-012



OCT 28 2005
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

Title of This Work ▼

LINKED RENAISSANCE COLLECTION 2005

NATURE OF THIS WORK ▼ See Instructions

JEWELRY DESIGN

Previous or Alternative Titles ▼

Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2

NAME OF AUTHOR ▼

DAVID YURMAN

DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

1942

Was this contribution to the work a "work made for hire"? ☐ Yes ☒ No

Author's Nationality or Domicile

OR { Name of Country U.S.A.
Citizen of
Domiciled in

Was This Author's Contribution to the Work

Anonymous? ☐ Yes ☒ No
Pseudonymous? ☐ Yes ☒ No
If the answer to either of these questions is "Yes," see detailed instructions.

Nature of Authorship Check appropriate box(es). See Instructions

☐ 3-Dimensional sculpture ☐ Map ☐ Technical drawing
☐ 2-Dimensional artwork ☐ Photograph ☐ Text
☐ Reproduction of work of art ☒ Jewelry design ☐ Architectural work

Name of Author ▼

Dates of Birth and Death
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"? ☐ Yes ☒ No

Author's Nationality or Domicile

OR { Name of Country
Citizen of
Domiciled in

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☐ 3-Dimensional sculpture ☐ Map ☐ Technical drawing
☐ 2-Dimensional artwork ☐ Photograph ☐ Text
☐ Reproduction of work of art ☐ Jewelry design ☐ Architectural work

3

Year in Which Creation of This Work Was Completed

2005

This information must be given in all cases.

Date and Nation of First Publication of This Particular Work

Complete this information ONLY if this work has been published.

Month MARCH

Day 31

Year 2005

Nation U.S.A.

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

YURMAN STUDIOS INC.
24 VESTRY STREET
NEW YORK NY 10013

Transfer If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

ASSIGNMENT: from DAVID YURMAN

APPLICATION RECEIVED

OCT 28 2005

ONE DEPOSIT RECEIVED

OCT 28 2005

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

MORE ON BACK ►

• Complete all applicable spaces (numbers 5-8) on the reverse side of this page.
• See detailed instructions. • Sign the form at line 8.

DO NOT WRITE HERE
Page 1 of 2 pages

EXAMINED BY Vg

FORM VA

CHECKED BY g☒ CORRESPONDENCE
YesFOR
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ONLY

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PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box.)a. ☐ This is the first published edition of a work previously registered in unpublished form.b. ☐ This is the first application submitted by this author as copyright claimant.c. ☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number

Year of Registration

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates.

a See instructions
before completing
this space.

6

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed.

b

7

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name

Account Number

a

b

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP

SUSAN SPAGNA, ESQ.
YURMAN STUDIOS INC.
24 VESTRY STREET: NEW YORK, NY 10013

Area code and daytime telephone number (212) 896-1550

Fax number (212) 223-0196

Email

CERTIFICATION* I, the undersigned, hereby certify that I am the

check only one

☐ author☐ other copyright claimant☐ owner of exclusive right(s)☒ authorized agent of

YURMAN STUDIOS INC.

Name of author or other copyright claimant, or owner of exclusive right(s)

8

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date If this application gives a date of publication in space 3, do not sign and submit it before that date.

Susan Spagna

Date 10/24/05

Handwritten signature (X)

X

Certificate
will be
mailed in
window
envelope
to this
address:

Name

Susan Spagna, Esq.

Number/Street/Apt

24 Vestry Street

City/State/ZIP

New York, NY 10013

• Complete all necessary spaces
• Sign your application in space 81. Application form
2. Incontestable filing fee in check or money
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3. Deposit materialLibrary of Congress
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101 Independence Avenue, S.E.
Washington, D.C. 20540-0008

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9

*17 U.S.C. § 506(a): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

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DESCRIPTION:

This pendant is an imitation of David Yurman's famous Linked Renaissance Collection. Set in .925 sterling silver and featuring a linked cable design with multi-facet Diamond CZ stones detailing. Fabulous and breathtaking. The original piece retails for thousand of dollars and now you can get it for fraction of the cost. A celebrity style with a bargain price. **CHAIN IS NOT INCLUDED.** We recommend a Box Link Chain for this pendant.

Measures: 1.5" H x 1.5" W

Weight: 16 grams

Material: .925 sterling silver CZ Cubic Zirconia

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David Yurman Inspired Sterling Silver Chain Necklace
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Matching Items



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